

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: <u>5/20/2019</u>

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 KENJY ORELLANA; NESTOR REYES; RENE :
 I. AYALA; ALBERTO RAMON MORALES :
 POMBO; CARLOS M. MOROCHO; LUIS :
 ZARUMA; MAXIMINO FLORES; JOHN :
 DANILO BARAHONA; EDISON CRISTOBAL :
 TRIANA PICON; OSWALDO BRAVO; JORGE :
 VARGAS; ANGEL REYES; JAIRALI CALLE; :
 EDGAR PILAGUICIN; JUAN AMANTA; :
 SEGUNDO PINTO; SEGUNDO FRANCISCO :
 LASLUIA; JOSE ALBERTO LASLUIA; :
 DAVID PAREJA; LUIS ENRIQUE CASTILLO :
 RODRIGUEZ; JEFFRY OSMAN BRIZZO :
 CACERES; JUNIOR ODAIR MEDRANO; :
 EUFEMIO DIAZ MONTENEGRO; JUAN :
 ANTONIO RODRIGUEZ DURAN; AUVER :
 HOYOS ALTAMIRANO; OLIVERIO :
 ANTONIO AYALA; ESDRAS NEHEMIAS :
 GUTIERREZ CERRATO; VICTOR MANUEL :
 PALACIOS GONZALEZ; SAUL REYES; :
 ADRIAN CRESCENCIO; MARCOS :
 MERCADO; EDWIN ORLANDO PEREZ :
 VELARDE; and JOSE CARLOS LUNA :
 BAUTSTA; :

Plaintiffs, :

-against- :

REAL INNOVATIVE CONSTRUCTION, LLC; :
 ANDY MORALES; CARLOS MORALES; ECI :
 CONTRACTING, LLC d/b/a ECI SERVICES; :
 KIERAN KEAVENEY; JACOBS :
 DEVELOPMENT CORP.; DANIEL :
 JAKUBOWICZ; and T.B.C. GROUP LTD., :

Defendants. :

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 VALERIE CAPRONI, United States District Judge:

Upon the Amended Complaint filed on May 17, 2019 [Dkt. 89] and the May 17, 2019 affidavit of Thomas J. Lamadrid, Esq., and exhibits thereto (collectively, the “Accompanying Papers”),

IT IS HEREBY ORDERED that Defendants Jacobs Development Corp. and Daniel Jakubowicz show cause before this Court, at the United States District Court for the Southern District of New York, Thurgood Marshal United States Courthouse, Room 443, 40 Foley Square, New York, New York 10007, on **June 21, 2019, at 10:00 a.m.**, or as soon thereafter as counsel may be heard, why this Court should not issue a default judgment on liability in Plaintiff's favor pursuant to Rules 54(c) and 55 of the Federal Rules of Civil Procedure.


IT IS FURTHER ORDERED that service of a copy of this order and the Accompanying Papers upon Defendants Jacobs Development Corp. and Jakubowicz or their counsel by hand delivery and by mail (in the same manner by which Plaintiffs effected service of the Summons and Complaint) on or before **May 31, 2019** shall be deemed good service thereof. No later than **June 5, 2019**, Plaintiff shall file proof of service of these materials on ECF. To be clear, the Accompanying Papers served on Defendants must include the May 17, 2019 Amended Complaint.

IT IS FURTHER ORDERED that Defendants Jacobs Development Corp. and Jakubowicz shall serve opposition papers, if any, on Plaintiff's counsel by hand delivery or electronically by email to Thomas J. Lamadrid at thomas@eisnerdictor.com on or before **June 12, 2019**, and that any reply papers shall be served by Plaintiff on Defendants Jacobs Development Corp. and Jakubowicz or their counsel, consistent with the above paragraph, on or before **June 19, 2019**.

Defendants are advised that failure to respond to the Order to Show Cause may be grounds for the granting of a Default Judgment against them on liability.

SO ORDERED.

Date: May 20, 2019
New York, New York



VALERIE CAPRONI
United States District Judge